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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,840	02/15/2001	Yakov Kamen	04688P002	3827

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EXAMINER

BAUTISTA, XIOMARA L

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 03/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/784,840

Applicant(s)

KAMEN ET AL.

Examiner

X L Bautista

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/28/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-4 and 6-11 have been considered but are moot in view of the new ground(s) of rejection.

Specification

2. The attempt to incorporate subject matter into this application (page 7, lines 1-2) by reference to "...Image Video Editing, Transformation, and Representation, Ser. No. _____, filed on _____ by..." is improper because a proper serial number and date must be provided.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2 and 3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 2 recites the limitation "determining a position of one of said geometric surfaces" in lines 10-11. There is insufficient antecedent basis for this limitation in

the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 1-4 and 6-11 are rejected under 35 U.S.C. 102(e) as being anticipated by *Dalal et al* (US 6,363,404 B1).

Claim 1:

Dalal discloses a method for providing hyperlinking within textures of three-dimensional models. A processor stores markup documents in texture image files of

predefined 3d models. The markup document includes various types of link elements. The texture image files are mapped to predetermined locations on the 3d models. The markup documents are displayed when the 3d model is displayed using content, format information, and linking information (col. 1, lines 37-43, 52-57, 60-67; col. 2, lines 1-12; col. 3, lines 3-34). Dalal teaches mapping the textures on geometric surfaces defining a 3d space (figs. 3, 4A-5, 7-9).

Claims 2 and 3:

See claim 1. Dalal teaches identifying events associated with a 3d image having a plurality of surfaces, each associated with a link (URL) determining a position of the surface in a virtual 3d space, and placing an event driven result on the surfaces (col. 2, lines 16-22; col. 5, lines 62-67; col. 6, lines 1-61).

Claims 4, 8 and 10:

Dalal teaches a processing unit having hardware and software components for storing markup documents in texture image files (col. 1, lines 63-65). Dalal teaches a three-dimensional processing component for mapping the information stored in a texture image file (col. 5, lines 18-57; col. 6, lines 1-25).

Claim 6:

See claim 1. Dalal teaches a processor with hardware and software components that stores markup documents in texture image files of predefined three-

dimensional models. Dalal teaches a processor coupled to a memory having instruction to cause the processor to associate a plurality of URLs with a corresponding plurality of textures (col. 1, lines 63-65; col. 3, lines 65-67; col. 4, lines 1-6; figs. 1 & 2).

Claims 7 and 11:

Dalal teaches a processor that executes instructions for determining a position of the surface on the 3d object in the 3d space and place an event driven result on the surface of the virtual 3d space (col. 2, lines 16-22; col. 5, lines 62-67; col. 6, lines 1-61).

Claim 9:

Dalal teaches a storage medium including instructions (fig. 1) which when executed cause a computer system to correlate links (URLs) into a corresponding texture and map the textures on surfaces of 3d objects located in the 3d space (col. 1, lines 37-43, 52-57, 60-67; col. 2, lines 1-12; col. 3, lines 3-34).

Conclusion

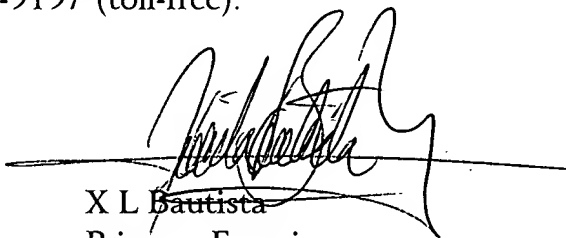
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

9. Any inquiry concerning this communication or earlier communications from

the examiner should be directed to X L Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (7571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



X L Bautista
Primary Examiner
Art Unit 2179

xlb
March 10, 2005